

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JEFFREY T. MILLER)

UNITED STATES OF AMERICA,) CASE NO. 08CR0547-JM
Plaintiff,)
v.) DECLARATION OF ELIOT MOYA-
RICARDO PALOS,) MENDOZA
Defendant.)

I, Eliot Moya-Mendoza, state as follows, under penalty of perjury:

1. On August 7, 2007, I was arrested on the Interstate 8 freeway.

2. I was a passenger in a sport utility vehicle that Mr. Palos was allegedly driving.

3. I was crouched down, in the rear cargo area of the vehicle, behind the rear bench-seat.

4. Once everyone was placed in the vehicle, an individual instructed all of us as a group to stay ed down and hidden.

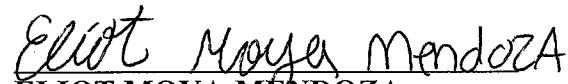
5. I was located in the corner of the rear cargo area of the vehicle. While in the rear cargo area, I could see the rear bench-seat of the vehicle.

6. As a passenger in the vehicles' cargo area, I never saw a passenger elevate their head from the rear bench-seat area. As such, I also did not see anyone look out behind our vehicle from the rear bench-seat area.

1 7. I did not feel the vehicle swaying from side to side.

2 8. I did not feel the vehicle swerving.

3 I swear that to the best of my knowledge and memory, the foregoing is true and correct this 21 st
4 day of May, 2008.

5 
6 **ELIOT MOYA-MENDOZA**
7 Declarant